

**ALLEGED VIOLATION:** Between 10-8-58 and 11-17-59, while quantities of rice were being held for sale after shipment in interstate commerce, the defendants caused such rice to be held in a building that was accessible to rodents and to be exposed to contamination by rodents, which act resulted in the article being adulterated.

**CHARGE:** 402(a)(3)—contained mouse pellets, rodent urine, and rodent hairs; and 402(a)(4)—held under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 5-23-60. \$200 fine against each defendant.

**26611. Rice.** (F.D.C. No. 44469. S. No. 22-136 R.)

**QUANTITY:** 60 100-lb. bags at Youngstown, Ohio, in possession of Sniderman Bros.

**SHIPPED:** 2-9-60, from Stuttgart, Ark.

**LIBELED:** 5-26-60, N. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained rodent urine and rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 6-22-60. Default—destruction.

**26612. Unpopped popcorn.** (F.D.C. No. 40573. S. No. 69-908 M.)

**QUANTITY:** 49 100-lb. bags at Upper Darby, Pa.

**SHIPPED:** 1-31-57, from Bremen, Ind.

**LIBELED:** 8-16-57, E. Dist. Pa.

**CHARGE:** 402(a)(3)—contained insects while held for sale.

**DISPOSITION:** 8-21-57. Consent—destruction.

## DAIRY PRODUCTS

### BUTTER

**26613. Butter.** (F.D.C. No. 43494. S. Nos. 77-893 P, 77-988/9 P, 77-991 P.)

**QUANTITY:** 90 60-lb. cubes at Toledo, Ohio.

**SHIPPED:** 6-23-59 and 7-8-59, from Imlay City, Mich., by Michigan Milk Producers Association.

**LIBELED:** 8-14-59, N. Dist. Ohio. ✓

**CHARGE:** 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** 9-3-59. Consent—claimed by Michigan Milk Producers Association, and reworked to bring it into compliance with the law.

**26614. Butter.** (F.D.C. No. 43730. S. Nos. 15-863/4 R.)

**QUANTITY:** 385 lbs. in ½-lb. rolls, and 145 lbs. in ¼-lb. prints, at Louisville, Ky.

**SHIPPED:** 2-25-60, from Lanesville, Ind., by Lanesville Creamery Co.

**LABEL IN PART:** "Klarer Creamery Butter Packed For The Klarer Company Louisville, Ky."

**RESULTS OF INVESTIGATION:** Analysis showed the article to be made from decomposed cream.

**LIBELED:** 3-10-60, W. Dist. Ky. ✓

**CHARGE:** 402(a)(3)—contained a decomposed substance when shipped.  
**DISPOSITION:** 6-29-60. Consent—claimed by Henry J. Fachinger, t/a Lanesville Creamery Co., and converted into butter oil.

**26615. Butter.** (F.D.C. No. 43508. S. No. 14-578 R.)

**QUANTITY:** 25 cases, 32 1-lb. pkgs. each, at Louisville, Ky.

**SHIPPED:** 8-13-59, from Lanesville, Ind., by Lanesville Creamery Co.

**LABEL IN PART:** (Pkg.) "Klarer Creamery Butter Packed For The Klarer Company Louisville, Ky."

**RESULTS OF INVESTIGATION:** Analysis showed the article to be made from decomposed cream.

**LIBELED:** 3-28-60, W. Dist. Ky.

**CHARGE:** 402(a)(3)—contained a decomposed substance when shipped.

**DISPOSITION:** 6-29-60. Consent—claimed by Henry J. Fachinger, t/a Lanesville Creamery Co., and converted into butter oil.

### CREAM

**26616. Cream.** (F.D.C. No. 44293. S. Nos. 8-602/3 P, 8-608 P, 11-255 P, 17-225 P, 17-578 P, 17-580 P, 50-061 P.)

**INFORMATION FILED:** 4-19-60, S. Dist. Ohio, against Fairmont Foods Co., a corporation, Zanesville, Ohio, and Stuart C. Sherwood, Southeastern Div. Manager of the corporation.

**SHIPPED:** Between 7-14-58 and 7-31-59, from Ohio to Pennsylvania.

**CHARGE:** 402(a)(3)—the article consisted in part of decomposed cream and a portion of the article contained flies, roaches, beetles, ants, vinegar flies, spiders, and other small insects.

**PLEA:** Guilty.

**DISPOSITION:** 6-7-60. Corporation fined \$8,000 and individual fined \$1,000.

### EGGS

**26617. Frozen eggs.** (F.D.C. No. 42164. S. No. 15-089 P.)

**INFORMATION FILED:** 2-22-59, M. Dist. Tenn., against Technical Egg Products, Inc., Nashville, Tenn., Seymour M. Levin, president of the corporation, and Wilbert Keith, an employee of the corporation.

**SHIPPED:** 6-14-58, from Alabama to Tennessee.

**CHARGE:** 402(a)(3)—contained decomposed eggs and incubator reject eggs when shipped.

**PLEA:** Guilty.

**DISPOSITION:** 6-8-59. Corporation fined \$500, Levin fined \$500, and Keith fined \$200. All fines were suspended on condition that no other violations occur.

**26618. Frozen eggs.** (F.D.C. No. 43215. S. Nos. 1-454 P, 32-717 P, 56-581 P.)

**INFORMATION FILED:** 10-29-59, S. Dist. Fla., against Robert Karan, president of Superior Frozen Foods, Inc., Lakeland, Fla., Harold Hulsey, vice president of the corporation, and Mack B. Jewell.

**SHIPPED:** (Count 1), on 10-20-58, from Florida to New York; (count 2), 1-14-59, from Florida to New Jersey.